

1 JUDGE ALAN D. ALBRIGHT
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

10 UNITED STATES OF AMERICA, } NO. 6:99-CR-00070-ADA-2
11 }
12 Plaintiff, } THIS IS A CAPITAL CASE
13 }
14 v. } EXECUTION CURRENTLY SET
15 } FOR DECEMBER 10, 2020
16 Brandon Bernard, } UNOPPOSED MOTION TO FILE
17 } OVERLENGTH MOTION TO
18 } MODIFY SENTENCE UNDER 18
19 } U.S.C. § 3582(c)
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Brandon Bernard respectfully moves this Court for permission to file a motion in excess of the 10-page limitation imposed by Rule CV-7(d)(3) of the Rules of the United States District Court for the Western District of Texas. Specifically, the defendant requests that the Court permit the filing of a Motion to Modify Sentence Under 18 U.S. C. § 3582(c), that is approximately 29 pages in length. Undersigned counsel have done their best to comply with the 10-page limit, but have found it impossible to do so, given the amount of legal and factual material it was necessary to include.

CERTIFICATE OF CONFERENCE

Counsel consulted with Assistant United States Attorneys Joseph Gay, Jr. and Mark Frazier on December 6. Mr. Gay reported that the Government is unopposed to Petitioner's request to file an over-length Motion to Modify Sentence of 29 pages in length.

DATED this 7th day of December, 2020.

Respectfully submitted,

Robert Chen

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CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to all registered parties.

s/ Amy Strickling, Paralegal
Federal Public Defender Office